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REMARKS

Rejections of Claims 9-12 Under 35 U.S.C. § 103

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as unpatentable over United States patent number 5,598,477 issued to Berson (hereinafter referred to as Berson) and United states patent number 6,137,895 issued to Al-Sheikh (hereinafter referred to as Al-Sheikh).

Claim 9 of the subject application includes the limitation of "sending data corresponding to an image of a person *from* a *network enabled imaging device*, directly coupled to a network, to a network enabled device using a network". (emphasis added). The applicant could not locate information in either Al-Sheikh or Berson that teaches or suggests something upon which the term "network enabled imaging device" reads that is "directly coupled to a network" *and* has the capability to send "data corresponding to an image of a person *from*" the "network enabled imaging device" to "a network enabled device". If such information exists within these references, *the applicant respectfully requests the Examiner's assistance in specifically identifying this information and specifically explaining* why the limitations from claim 9 recited in this paragraph read upon this information. In the following paragraphs the applicant will discuss some information from these references and why the applicant believes these recited limitations of claim 9 do not read upon this information.

Column 2, lines 59-61 of Al-Sheikh state "The electronic image is input to a printer which prints a human-cognizable image of the passenger 24 onto a boarding pass 10. . ." Figure 2, element 24 of Al-Sheikh states "Printer Prints Human Cognizable Passenger Image" The applicant submits that the "imaging device" limitation recited in claim 9 reads upon the term "printer" in the referenced section of Al-Sheikh. Neither of these citations to Al-Sheikh teach or suggest the limitations of "sending data corresponding to an image of a person *from* a *network enabled imaging device*, directly coupled to a network, to a network enabled device using a network". (emphasis added) In the cited sections of Al-Sheikh, the "printer" is receiving information, not "sending data corresponding to an image".

Column 3, lines 41-43 of Berson state that "Data processing system 12-1 *returns* ticket information . . . to local printing system 20." (emphasis added) Column 3, lines 43-47 of Berson state that "In on embodiment of the invention, wher input device 10 is a personal

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computer the ticket information is returned through input device 10 and local printing system 20 is a non-intelligent printer operating under the control of input device 10." Column 3, lines 47-50 of Berson state that "local printing system 20 may be an non-intelligent system communicating directly with data processing system 12-1. In still another embodiment local printing system 20 Is a facsimile printer." The applicant submits the "imaging device" limitation recited in claim 9 reads upon the term "local printing system" In the referenced sections of Berson. None of these citations to Berson teach or suggest the limitations of "sending data corresponding to an image of a person *from* a *network enabled imaging device*, directly coupled to a network, to a network enabled device using a network". (emphasis added) In the cited sections of Berson, the "local printing system" is receiving information, not "sending data corresponding to an image". Rather, the cited section of Berson only teaches or suggests that the "ticket information" *returns* to "local printing system 20".

On page 6, starting at the 6ᵗʰ sentence of the office action, the Examiner states that "Berson, teaches using an input device 10 and local printing system 20 to input data related to a person . . . send the data to a server . . ." Is the Examiner asserting that the limitation of "imaging device" from claim 9 reads upon the combination of "input device 10" and "local printing system 20"? If the Examiner is asserting this, the applicant respectfully contends that this must be incorrect. In the limitations recited in claim 9 for the "imaging device" to send "data corresponding to an image of a person *from* a *network enabled imaging device*, directly coupled to a network, to a network enabled device using a network" resides within the "imaging device", it is the "imaging device" that sends "data corresponding to an image of a person". The limitation of "imaging device" does not read upon "input device 10" *and* "local printing system 20". Therefore, Berson does not teach or suggest this limitation recited in claim 9. *So, the applicant respectfully asks, where is the information in these references upon which the limitations from claim 9 of* "sending data corresponding to an image of a person *from* a *network enabled imaging device*, directly coupled to a network, to a network enabled device using a network" are alleged to read?

According to section 2143.03 of the MPEP, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." (emphasis added). Furthermore, according to section 2143.03 of the MPEP "[i]f an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending

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therefrom is nonobvious." Therefore, because Berson and Al-Sheikh individually or combination do not teach or suggest all the limitations of claim 9, a valid prima facie obviousness rejection is not present. In addition, because claims 10-12 depend, either directly or indirectly, upon claim 9, a valid prima facie obviousness rejection of these claims does not exist. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claims 9-12 under 35 U.S.C. § 103.

Rejections of Claims 17-20 Under 35 U.S.C. § 103

The Examiner has rejected claim 17 under 35 U.S.C. § 103(a) as unpatentable over Berson in view of Al-Sheikh.

Claim 17 has been amended to include the limitation of "a network *enabled imaging device* directly coupled to the network, configured to _send_ the data corresponding to the image of the person to the network enabled device, arranged to receive the ticket data through the network, and configured to form a ticket on media including the image." (emphasis added) As explained at length, in the previous section (entitled Rejections of Claims 9-12 Under 35 U.S.C. § 103), the applicant has explained in detail why neither Berson or Al-Sheikh taken individually or in combination, teach or suggest the limitations recited in the amended claim 17 of an "imaging device . . . configured to send the data corresponding to the image of the person".

According to section 2143.03 of the MPEP, "[t]o establish prima facie obviousness of a claimed invention, *all* the claim limitations must be taught or suggested by the prior art." (emphasis added) Because Berson and Al-Sheikh do not teach or suggest all the limitations of the amended claim 17, a valid prima facie obviousness rejection of the amended claim 17 is not present. Accordingly, the Applicant respectfully requests withdrawal of the rejection of the amended claim 17 under 35 U.S.C. § 103(a).

According to section 2143.03 of the MPEP "[i]f an independent claim is non-obvious under 35 U.S.C. '103, then any claim depending therefrom is nonobvious." Because claims 18-20 depend, either directly or indirectly, upon the amended claim 17, a valid prima facie obviousness rejection of claims 18-20 is not present. Accordingly, the Applicant respectfully requests withdrawal of the rejections of claim 18-20 under 35 U.S.C. § 103(a).

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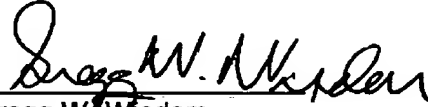*Case: 10004107-1*
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Amendment to Claim 19

The Applicant has amended claim 19 to make it consistent with the amended claim 17.

Conclusion

The Applicant believes that the amendments to the application have placed it in a condition for allowance. Such action is respectfully requested.

Respectfully submitted,
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